

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**
Richmond Division

IN RE:)	
)	
BLAS WILBER LOPEZ)	Case No. 21-30499-KLP
)	Chapter 13
Debtor)	
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BLAS WILBER LOPEZ)	
)	
Plaintiff)	
)	
v.)	APN: 21-3015-KLP
)	
SPECIALIZED LOAN)	
SERVICING, LLC, ET AL.)	
)	
Defendants)	

CONSENT ORDER

UPON AGREEMENT OF THE PARTIES, as evidenced by endorsement of counsel hereto; and it

APPEARING TO THE COURT that the estate of the Debtor includes an interest in real estate known as 2103 Henderson Rd., Henrico, VA 23230, more particularly described as:

ALL that certain lot or parcel of land, together with all rights, ways and appurtenances thereto belonging, lying and being in the County of Henrico, Virginia, in that Section known as "Pine View Subdivision", a plat of which by T. Crawford Redd & Bro., Surveyors and engineers, is recorded in the Clerk's office of the Henrico Circuit Court in Plat Book 18, page 94, and more particularly described as follows:

BEGINNING at a point on the eastern line of Henderson Road distant thereon Four Hundred and Ninety-Five Feet (495') north of the northern line of Broad Street Road, thence extending along and fronting on said eastern line of

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Counsel for Plaintiff

Henderson Road One Hundred Feet (100') and thence extending back eastwardly from said front, at right angles and between parallel lines One Hundred and Fifteen and Nineteen Hundredths Feet (115.19').

BEING the same real estate conveyed to Swapan Rozario and Suzana S. Rozario. Husband and wife, as tenants by the entirety with the right of survivorship as at common law, by Deed from Virginia P. Sprouse, unmarried, dated November 27, 1996, recorded December 9, 1996 in the Clerk's Office, Circuit Court, Henrico County, Virginia in Deed Book 2688, page 1646.

("Property"); and it

FURTHER APPEARING that there is a recorded first deed of trust against the Property by Select Portfolio Servicing, Inc., which at the time of the filing of this case had an approximate balance of \$186,399.00, and which deed of trust is dated January 3, 2007 and is recorded in the Clerk's Office of the Henrico County Circuit Court in Deed Book 4266 at Page 965 ("First Deed of Trust"); and it

FURTHER APPEARING that Defendant Specialized Loan Servicing LLC has recorded a second deed of trust dated January 3, 2007 against the Property that secures its promissory note, which at the time of the filing of this case had an approximate balance of \$44,594.00, and which deed of trust was recorded in the Clerk's Office of the Henrico County Circuit Court in Deed Book 4266 at Page 985 ("Second Deed of Trust"); and it

FURTHER APPEARING that the assessed value of the Property is \$160,300.00 which is less than the payoff of the promissory note secured by First Deed of Trust; and it

FURTHER APPEARING that the parties have agreed to resolve this matter as set forth herein; it is therefore

ORDERED that the relief requested by the Plaintiff in the Complaint herein is hereby GRANTED; and it is

FURTHER ORDERED that Specialized Loan Servicing LLC's promissory note secured by the Second Deed of Trust is fully unsecured; the Debtor shall be permitted to treat

Specialized Loan Servicing LLC's allowed claim in connection with the Second Deed of Trust as unsecured in the Chapter 13 Plan; upon the completion of all Chapter 13 plan payments and entry of an order of discharge in the above captioned bankruptcy case, the Second Deed of Trust shall be released against the Property; and in the event the Debtor's bankruptcy case is converted or dismissed, the lien evidenced by the Second Deed of Trust shall remain in effect and have the same priority that existed prior to the filing of Debtor's bankruptcy case.

Richmond, Virginia

Date: Apr 2 2021

/s/ Keith L Phillips
United States Bankruptcy Judge

Entered on Docket: Apr 2 2021

PRESENTED BY:

/s/ James E. Kane
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SEEN AND AGREED TO:

/s/ Johnie R. Muncy

Johnie R. Muncy, (VSB # 73248)

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Counsel for Defendants

CERTIFICATION OF COUNSEL

I hereby certify that this Order has been endorsed by all necessary parties.

/s/ James E. Kane

James E. Kane

SERVICE LIST

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